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FEW

PATENTS
671308-2001.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Minoru FUJIMORI et al
Serial No. : 10/782,899
For : ANAEROBIC BACTERIUM AS A DRUG FOR CANCER
GENE THERAPY
Filing Date : February 23, 2004
Examiner : Brian A. Whiteman
Group Art Unit : 1635

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TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97(B)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Examiner's attention is respectfully directed to the documents listed on the enclosed PTO-1449 (in duplicate). Since these documents were either cited to or cited by the Examiner in the predecessor application (U.S. Serial No. 09/816,391 filed March 26, 2001) and are of record in the predecessor application, a copy of each of these documents should be in the predecessor

application file. Accordingly, no additional copies are being forwarded with this Information Disclosure Statement; but will gladly be supplied upon request.

This Information Disclosure Statement is not a representation that the documents cited herein are considered most pertinent, or that a search has been undertaken, or that any of the cited documents are indeed prior art. The Examiner is invited to undertake an independent search.

Applicants respectfully request that the Examiner consider and make of record the documents cited herein and that a copy of the Form PTO-1449, initialed by the Examiner be returned to the undersigned. Entry of this Information Disclosure Statement and an early examination on the merits are respectfully solicited.

As this Information Disclosure Statement is being filed before the mailing of the first Office Action on the merits, it is believed that no fee is required for entry of this paper. However, the Commissioner is hereby authorized to charge any such fee, or credit any overpayment to Deposit Account 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By: Deborah L. Lu

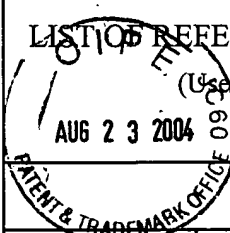
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Based on Form PTO-1449 (3/90) LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary) 	ATTY. DOCKET NO. 671308-2001	SERIAL NO. 10/782,899
	APPLICANT Minoru FUJIMORI et al	
	FILING DATE February 23, 2004	GROUP 1635

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	4,486,407	02-1983	Taguchi	424	85	
	AB	2002-0006432 A1	07-2001	Collins et al.	424	439	
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FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AF	WO 96/11277	10/1995	WIPO				

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	AG	M J Lemmon et al., "Anaerobic bacteria as a gene delivery system that is controlled by the tumor microenvironment", Gene Therapy, Vol. 4, 1997, pp. 791-796.
	AH	N. Minton et al., "Chemotherapeutic tumor targeting using clostridial spores", FEMS Microbiology Reviews, Vol. 17, 1995, pp. 357-364
	AI	Proceedings, Fifty-Ninth Annual Meeting of the Japanese Cancer Association, October 4-6, 2000, Yokohama, Vo. 91 Supplement, No. 1880 as well as its English translation and Verification of translation.
	AJ	Yazawa et al., Cancer Gene Therapy, Vol. 17, pp. 269-274 published on March 27, 2000 as well as a copy of the certificate. K. Low et al., "Lipid A mutant <i>Salmonella</i> with suppressed virulence and TNF α induction retain tumor-targeting <i>in vivo</i> ", Nature Biotechnology, Vol. 17, January 1999, pp. 37-41.
	AK	K. Low et al., "Lipid A mutant <i>Salmonella</i> with suppressed virulence and TNF α induction retain tumor-targeting <i>in vivo</i> ", Nature Biotechnology, Vol. 17, January 1999, pp. 37-41
	AL	G. Dachs et al., "Targeting gene expression to hypoxic tumor cells", Nature Medicine, Vol. 3, No. 5, May 1997, pp. 515-520.

EXAMINER	DATE CONSIDERED
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Based on Form PTO-1449 (3/90)		ATTY. DOCKET NO. 671308-2001	SERIAL NO. 10/782,899
LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary)		APPLICANT Minoru FUJIMORI et al	
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	AM	H. Matsumura et al., "Construction of <i>Escherichia coli</i> - <i>Bifidobacterium longum</i> shuttle vector transforming <i>B. longum</i> 105-A and 108-A", Biosci. Biotech. Biochem., Vol. 61, No. 7, 1997, pp. 1211-1212.	
	AN	A. Argnani et al., "A convenient and reproducible method to genetically transform bacteria of the genus <i>Bifidobacterium</i> ", Microbiology, Vol. 142, 1996, pp. 109-114.	
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	AT	J. Saavedra et al., "Feeding of <i>Bifidobacterium bifidum</i> and <i>Streptococcus thermophilus</i> to Infants in Hospital for Prevention of Diarrhoea and Shedding of Rotavirus", The Lancet, Vol. 344, pp. 1046-1049, October 15, 1994	
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	AX	IM Verma et al., Nature, "Gene therapy-promises, problems and prospects," Sep. 1997, Vol. 389, pp. 239-242.	
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